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November 4, 2015

The Honorable James Orenstein
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *In re Parking Heaters Antitrust Litig.*, No. 15-MC-940 (JG) (JO)

Dear Judge Orenstein:

We write on behalf of the Direct Purchaser Plaintiffs (“DPPs”) and the Indirect Purchaser Plaintiffs (“IPPs”) in response to the Court’s November 2, 2015 Order regarding the U.S. Department of Justice’s request to be heard *in camera* regarding early document discovery agreed to by the Parties in the stipulated Proposed Case Management Order (ECF No. 70).

The DPPs and the IPPs have no objection to the Department’s request to be heard by the Court *in camera* or by sealed letter for the limited purpose of discussing the impact of early document discovery on the Department’s criminal investigation.

Plaintiffs wish to clarify, however, that all Parties and the Department have agreed that some early document discovery is appropriate and permissible under the circumstances of this case. And Plaintiffs remained in regular contact with the Department during Plaintiffs’ negotiations with Defendants over the proposed Case Management Order, in particular, regarding early production provisions. Further, Plaintiffs and Defendants Webasto and Espar have agreed, as presented in the stipulated Proposed Case Management Order, to produce documents prior to the filing of Plaintiffs’ amended consolidated class action complaints. The only issue to be resolved is the wording and scope of the production: whether it should be limited to certain categories of documents.

The DPPs and IPPs would welcome further opportunities to discuss this issue with the Defendants and the Department, and would also welcome the Court’s involvement if appropriate.

Sincerely,

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